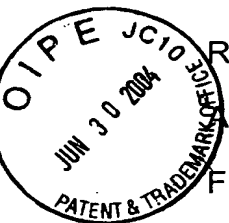


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Patent Application of

Rolf J. MEHLHORN

Application No.: 08/472,843

Filed: June 7, 1995

For: METHOD FOR LOADING LIPID
LIKE VESICLES WITH DRUGS OR
OTHER CHEMICALS

)
)
) Group Art Unit: 1615

)
) Examiner: Gollamudi S. Kishore

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) Confirmation No.: 1044
)
)
)

PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR § 1.137, Applicant hereby requests that the above-identified application be revived. The unintentional abandonment resulted from an expectation by Applicant, following the most recent interview with the Examiner (dated March 23, 2004), that the most recent Amendment (dated January 20, 2004), would be entered. In particular, the most recent amendments to Claims 46 and 52 merely incorporated recitations from Claims 47 (and 53) and 50-51 (and 63-64), which were canceled with that Amendment. As such, the Examiner's position, as stated in the Advisory Action dated February 17, 2004, that the amendments would not be entered because they raised new issues and could require a new search, is untenable. Moreover, the Examiner's supervisor, Mr. Page, also informed the undersigned that every effort would be taken to enter the amendments and consider the declaration even after final, particularly considering the application's pre-GATT filing date. As a result of these reliances, the application went abandoned without intent by Applicant.

Accompanying this paper is an Appeal Brief. Also accompanying this paper is the petition fee as set forth in 37 CFR § 1.17(m).

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: June 30, 2004

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